

William C. Rand, Esq. (WR-7685)
LAW OFFICE OF WILLIAM COUDERT RAND
711 Third Ave., Suite 1505
New York, New York 10017
(Phone) (212) 286-1425; (Fax)(212) 599-7909
Co-counsel
Jeffrey M. Gottlieb, Esq. (JG-7905)
Berger & Gottlieb
150 East 18th Street, Suite PHR
New York, New York 10003
Tel: (212) 228-9795
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
CHARLENE JAMES,	:	ECF
Individually and on Behalf of All Other Persons	:	08 Civ. 1457 (RWS)(KNF)
Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
T&H SECURITY, INC., CITADEL SPECIAL	:	
EVENTS SERVICES, INC., THOMAS FERRARA,:	:	
REIDA FERRARA, TYRONE A. YORIS and	:	
JOHN DOES #1-10, Jointly and Severally,	:	
	:	
Defendants.	:	
-----X		

DECLARATION OF JOANN LONG
IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF COLLECTIVE ACTION NOTICE

DECLARATION OF PLAINTIFF JOANN LONG

I, **JOANN LONG**, hereby declare under penalty of perjury under the laws of the United States of America that the following is true:

1. I was a security guard worker employed by T&H Security, Inc., Citadel Special Events Services, Inc. and their owners/managers, Thomas Ferrara, Reida Ferrara, and Tyrone A. Yoris (together “Defendants”) from on or about September 2007 until on or about January 9, 2008 (the “time period”).

2. I worked as a security guard for Defendants at a number of locations including but not limited to: Piers 92 and 94 (located on 54th street and 12th Ave.).

3. Upon information and belief I worked for Defendants with at least 40 other similar security guard employees who had the same duties as myself.

4. My duties did not include managerial responsibilities or the exercise of independent business judgment.

5. During the time period, I worked an average of 50 hours per week.

6. Defendants paid me an hourly wage of from \$8.50.

7. Defendants did not pay me time and one half for any of my hours worked over 40 in a week (“overtime”).

8. Defendants did not pay me my regular hourly rate for all of the hours that I worked.

9. I was required to wear a uniform provided by the Defendants but was never paid for the cost of cleaning the uniform.

10. I was signed in and out by my supervisor in a daily log book kept by Defendants. Often my supervisor signed me out as of a time which was earlier than the

time that I actually stopped working. Accordingly, the sign-out sheets often did not reflect the time that I actually signed out.

11. I have attached as Exhibit A a copy of certain of my payroll receipts and time records, demonstrating that I was not paid by Defendants for all my hours worked and was not paid by Defendants time and one half for my overtime hours worked.

12. In addition to myself, during the time period, I am aware and have personal knowledge of other persons employed by Defendants as security guard workers who performed the same or similar work as myself. Upon information and belief, Defendants hired at least 40 of such similar security guard workers.

13. I and the other similar security guard employees regularly worked more than 40 hours per week for Defendants.

14. I and these other similar security guard employees worked more than 40 hours per week and were not paid time and one half for our overtime hours.

15. I know that others like me worked overtime and were not paid overtime by Defendants because I observed the other security guard employees working more than 40 hours in a week and discussed the issue with certain of these other similar security guard employees, who said that they worked more than 40 hours per week and that Defendants did not pay them time and one half their regular hourly rate for their overtime hours and did not pay them even at their regular hourly rate for all the hours that they worked. They all have stated to me that they worked as security guard workers for Defendants and worked more than 40 hours per week and were not paid time and one half for their hours worked over 40 in a workweek.

16. Throughout the time period that I worked at Defendants, and, upon information and belief, both before that time and continuing until the present, Defendants have likewise employed other individuals, like myself, in positions as security guard workers.

17. Such individuals have worked in excess of 40 hours a week, yet the Defendants have likewise willfully failed to pay them overtime compensation of one and one-half times their regular hourly rate.

Dated: March 14, 2008


JOANN LONG

EXHIBIT A

CO. FILE DEPT. CLOCK NUMBER 040
HGM 008350 001 0000003558 1

CITADEL SPECIAL EVENTS SERVICE
34 91ST STREET
BROOKLYN, NY 11209

Earnings Statement



Period Ending: 09/28/2007
Pay Date: 10/05/2007

JOANN LONG
1129 TELLER AVE #1B
BRONX NY 10456

Taxable Marital Status: Single
Exemptions/Allowances:
Federal: 1
State: 1
Local: 1

Social Security Number: XXX-XX-0788

Earnings		rate	hours	this period	year to date
Regular		8.5000	51.50	437.75	
Gross Pay				\$437.75	437.75

Deductions		Statutory	
Federal Income Tax		-20.51	20.51
Social Security Tax		-27.14	27.14
Medicare Tax		-6.35	6.35
NY State Income Tax		-5.24	5.24
New York Cit Income Tax		-3.93	3.93
NY SUI/SDI Tax		-1.20	1.20
Net Pay		\$373.38	

Your federal taxable wages this period are \$437.75

CO. FILE DEPT. CLOCK NUMBER 040
 5CR 006966 001 0000228751 1

T & H SECURITY INC.
 D/B/A CITADEL SECURITY AGENCY
 P.O. BOX 348
 BROOKLYN, NY 11209

Earnings Statement



Period Ending: 01/18/2008
 Pay Date: 01/25/2008

Taxable Marital Status: Single
 Exemptions/Allowances:

Federal: 1
 State: 1
 Local: 1

Social Security Number: XXX-XX-XXXX

JOANN LONG
 1129 TELLER AVE #1B
 BRONX NY 10456

Earnings				year to date
	rate	hours	this period	
Regular	8.5000	48.50	412.25	
Gross Pay			\$412.25	412.25

Deductions

Statutory				
Federal Income Tax	-17.57			17.57
Social Security Tax	-25.56			25.56
Medicare Tax	-5.98			5.98
NY State Income Tax	-4.22			4.22
New York Cit Income Tax	-3.45			3.45
NY SUI/SDI Tax	-1.20			1.20
Other				
Misc	-141.25			
Net Pay			\$213.02	

Your federal taxable wages this period are \$412.25

State 1B

TEAR HERE

©1998, 2006, ADP, Inc. All Rights Reserved.